

The Constitution, Bill of Rights, and YOU!

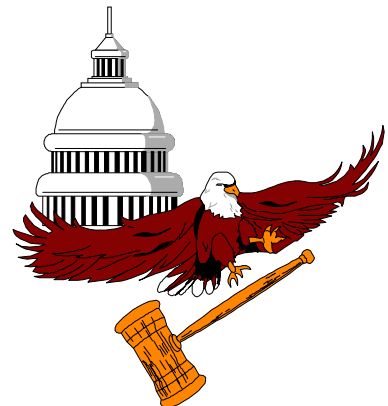
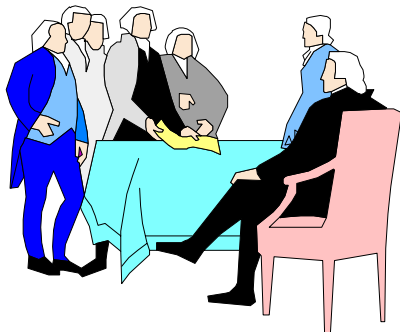
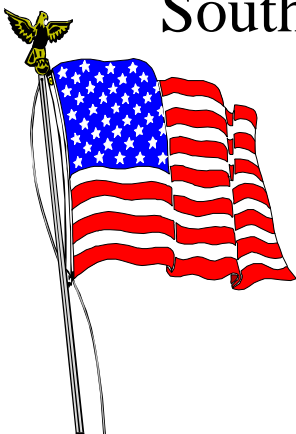
High School
Government

Module
by

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Regional Facilitator

South Central Regional MAP Center





Purpose: The purpose of this module is to assess a student's ability to demonstrate his/her knowledge of the Bill of Rights. It may be used as a culminating activity to or in conjunction with a unit about personal freedoms and the Bill of Rights.

Show-Me Standards Addressed:

Knowledge: SS1, SS3, SS6

Performance: 1.10, 3.5, 4.1

Grade Level Range: 10-12

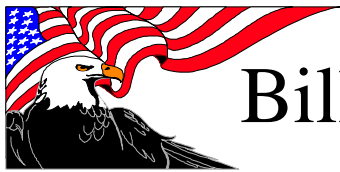
Subject Area: Social Studies: Government

Time Needed for Module: Two Class Periods of 50 minutes each.

Instructions for Administration: Present students with the Module and make sure he/she clearly understands what is expected. Go over the scoring guides to ensure the student knows what is meant by quality.

Pre-Assessment Instructions:

Prior to the assessment the student must have a basic knowledge of personal rights as guaranteed by the Bill of Rights.



Bill of Rights



(The first ten Amendments were ratified Dec. 15, 1791, and form what is known as the Bill of Rights.)

Amendment 1

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment 2

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment 3

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment 4

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment 5

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment 6

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment 7

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment 8

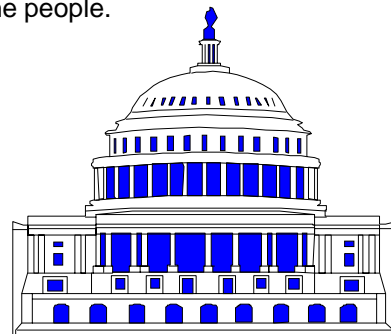
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment 9

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment 10

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.



Our Rights and Freedoms

Constitution of the United States, basic instrument of government and supreme law of the United States. The Constitution was drafted by the Constitutional Convention of May 25-September 17, 1787, and, following its ratification by conventions in two-thirds of the states, as provided in the Constitution, became effective in 1789.

The Constitutional Convention, which opened in the State House in Philadelphia on May 25, 1787, was one of the most remarkable bodies ever to assemble anywhere. Twelve states were represented by 55 delegates. Rhode Island, fearful that national regulation would injure its lucrative trade, opposed revising the Articles of Confederation and sent no delegates.

George Washington was chosen president of the convention. Among the other delegates, a number of whom had signed the Declaration of Independence and many of whom had served in Congress, were James Madison, George Mason, and Edmund Randolph of Virginia; Benjamin Franklin, James Wilson, and Gouverneur and Robert Morris of Pennsylvania; Roger Sherman and Oliver Ellsworth of Connecticut; Rufus King of Massachusetts; Charles Cotesworth Pinckney of South Carolina; John Dickinson of Delaware; Alexander Hamilton of New York; William Paterson of New Jersey; and Luther Martin of Maryland. John Jay, who was U.S. secretary of foreign affairs, and John Adams and Thomas Jefferson, who were out of the country on government missions, did not attend the convention; nor did Patrick Henry or Samuel Adams, both of whom opposed the creation of a strong central government.

On September 12, 1787, the convention concluded the work of writing the Constitution and gave the completed draft to a committee on style to polish the language.

The Struggle over Ratification of the Constitution

Article VII of the Constitution stipulated that the Constitution could become effective only after conventions in two-thirds of the states had ratified it. This necessary ratification took place after a bitter struggle, in which some opponents condemned the establishment of a strong national government and urged instead the establishment of a confederation of sovereign, or chief, states. Others objected to the lack of adequate constitutional safeguards of fundamental rights. Although differences of opinion were expressed among the people as a whole, the majority of the merchants, shippers, manufacturers, bondholders, land speculators, lawyers, and ministers were for ratification; and a majority of those opposed were small farmers and artisans. John Adams later wrote that the Constitution was "extorted from the grinding necessity of a reluctant people."

The state conventions of Delaware, New Jersey, and Georgia ratified the Constitution unanimously on December 7 and 18, 1787, and January 2, 1788, respectively; those of Pennsylvania and Connecticut by large majorities on December 12, 1787, and January 9, 1788. In Massachusetts the convention was the scene of an intense conflict, in which a majority of the 355 delegates, led in part by Samuel Adams, were opposed to ratification. Only after supporters of the Constitution suggested that, after ratification, Massachusetts propose to the other states that the Constitution be amended to include a bill of rights were they able, on February 6, 1788, to win by a majority of 19 votes.

Amendments to the Constitution

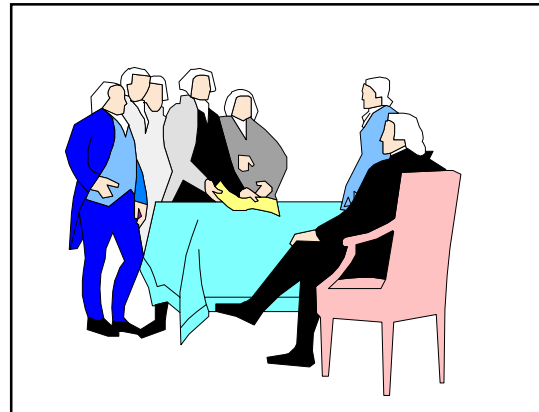
When the first U.S. Congress convened on March 4, 1789, before it were 103 amendments to the Constitution submitted by the states, 42 amendments proposed by minority groups within the states, and bills of rights submitted by Virginia and by New York. After deliberating on these proposed amendments, Congress reduced them to 12, which were submitted to the states. Two failed of ratification; the others became the first 10 amendments. They were ratified on December 15, 1791, and are known as the Bill of Rights. In general the 10 amendments are sweeping prohibitions against government abridgment or destruction of fundamental rights. The 10th Amendment, reserving to the states, or the people, those powers not delegated or prohibited to the federal government, established a basis for subsequent judicial interpretations of the Constitution, thereby limiting the power of the federal government.

1. Which of the following people attended the Constitutional Convention?

- a. John Adams
- b. Thomas Jefferson
- c. Samuel Adams
- d. Benjamin Franklin

2. What document is referred to as the supreme law of the land?

- a. Declaration of Independence
- b. Articles of Confederation
- c. Constitution of the United States
- d. Document of Rights



3. What are the first ten Amendments known as?

- a. Judicial Interpretations
- b. 10 Articles
- c. Bill of Rights
- d. Declaration of Independence

4. Which Amendment established a basis for judicial interpretation?

- a. 7th
- b. 3rd
- c. 5th
- d. 10th

5. Why was the Constitutional Convention referred to as being “one of the most remarkable bodies ever to be assembled anywhere? Use examples from the story to explain your reasoning.

6. What were two reasons some states opposed the ratification of the Constitution? Use details and information from the story in your answer.

7. Describe how the Constitution was ratified by Massachusetts inspite of Samuel Adams' intense opposition.

8. Explain why merchants, shippers, manufacturers, and land speculators were for the ratification of the Constitution. Use details and information from the story to support your answer.

9. If you were a small farmer living in the year 1787, would you have wanted the Constitution to be ratified? Why or Why not? Use details from the story to support your answer.

9. Which Amendment guarantees your freedom of speech?

- a. 2nd
- b. 1st
- c. 3rd
- d. 7th

10. Which Amendment protects you against unreasonable searches?

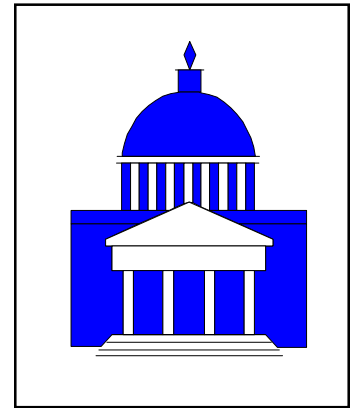
- a. 7th
- b. 4th
- c. 9th
- d. 3rd

11. If you are accused of a crime, which Amendment guarantees your right to a speedy trial?

- a. 5th
- b. 3rd
- c. 9th
- d. 6th

12. If you were a lawyer, which of the Amendments would help justify the need for your occupation? Explain why. Use details from the article to support your answer.

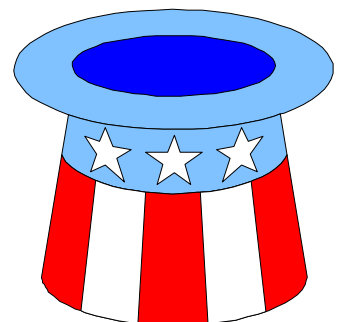
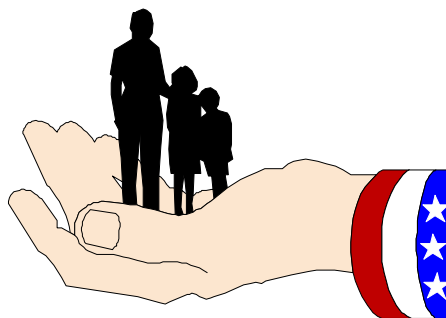
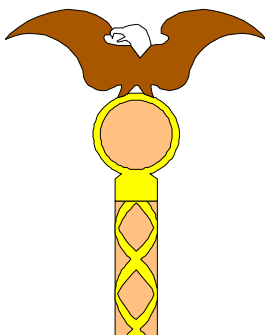
13. Which Amendments seem outdated or “no longer needed in today’s society” ? Explain why.

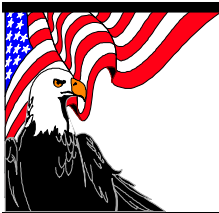


14. Joe Smith robbed a convenience store but was found not guilty at his trial. Can he be tried again? Use details from the article to explain your answer.

15. Use details from the story to complete the graphic organizer.

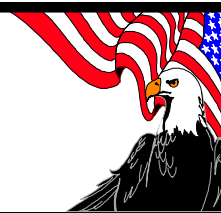
More than one Amendment protects your property. Complete the organizer to show the Amendments that protect your property, tell what property is protected, and tell how it is protected.		
Amendment Number	Describe the property that is protected.	Tell how it is protected.



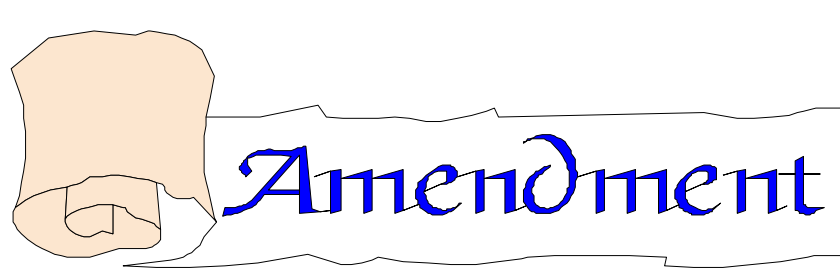


Performance Event

The Constitution, Bill of Rights, and You.

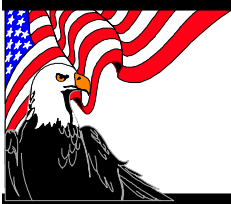


The first ten Amendments to our Constitution, referred to as the Bill of Rights, guarantees the rights and personal freedoms of citizens of the United States. As citizens, it is vital that each person demonstrate a clear understanding of the effect the Bill of Rights has upon our life. Use your knowledge of the Bill of Rights to explain which five Amendments have the most impact on your daily life and which five Amendments have the least impact on your life. You will need to explain your reasoning and give personal examples in the charts provided.



The five Amendments that have the most impact on my life.	Explain why.	Personal examples to support to support my reasoning.

The five Amendments that have the least impact on my life.	Explain why.	Personal examples to support to support my reasoning.



Scoring Guides for the Selected Response
and Constructed Response Questions



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Scoring Guide: Selected Response Questions

1 Point: The student has the correct response.

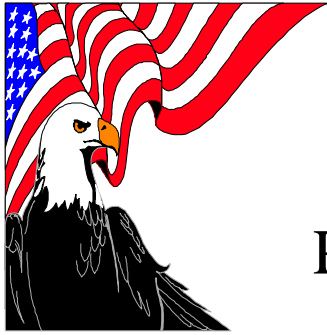
0 Points: Other

Scoring Guide: Constructed Response Questions

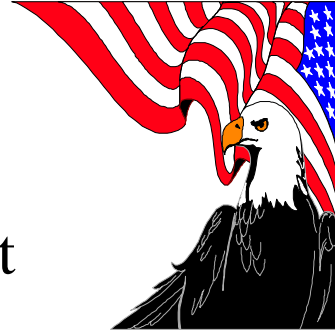
2 Points: The response is complete, accurate, and detailed. The student has provided accurate reasoning and cited specific, detailed examples from the story as support.

1 Point: The response is overly general and simplistic but essentially correct. The student may have attempted to explain their reasoning but it is not supported with specific details or examples from the story.

0 Points: Other



Scoring Guide for Performance Event



- 4 The student has a complete and accurate knowledge and understanding of the first ten Amendments and their impact on his/her personal life. Many relevant details from the student's personal life are used to support the reasoning.
- 3 The student has sufficient and for the most part accurate knowledge and understanding of the first ten Amendments and their impact on his/her personal life. Relevant details from the student's personal life are used to support the reasoning.
- 2 The student has partial knowledge and a slightly flawed understanding of the first ten Amendments. The student may not describe the impact of the Amendments on his/her personal life. Few, if any, relevant details from the student's personal life are used to support the reasoning.
- 1 The students shows no understanding of the first ten Amendments and does not show an understanding of their impact upon his/her personal life.

